

Regular Meeting .....	January 15, 2003
Location .....	6900 Atmore Drive Richmond, Virginia
Presiding .....	J. Granger Macfarlane, Chairman
Present .....	Donald L. Cahill Clay B. Hester Gregory M. Kallen Reneé Trent Maxey R. W. Mitchell Sterling C. Proffitt
Absent.....	Dr. Jeffery C. Trimble Colleen K. Killilea

6900 Atmore Drive, Richmond, Virginia

The Chairman called the meeting to order and asked that the roll be taken. It was noted that Ms. Killilea and Rev. Dr. Trimble were absent. The Chairman also noted the absence of the Director.

The Chairman asked for a motion from the floor to approve the December Board minutes. By *MOTION* duly made by Mr. Mitchell, seconded by Mr. Hester and unanimously *APPROVED* by verbally responding in the affirmative (Cahill, Hester, Kallen, Maxey, Mitchell, Proffitt), the December Board minutes were approved as presented. There were no opposing votes noted. Ms. Killilea and Dr. Trimble were absent. As a tie-breaking vote was not necessary, a vote by the Board Chairman was not noted.

The Chairman highlighted Governor Warner's initiatives concerning statewide purchasing: volume purchasing, cataloging inventory (surplus property), cataloging inventory (unused assets), and better inventory control.

The Department's Procurement Manager, Ms. Cindy Sager, was introduced. Her overview illustrated many aspects of DOC's procurement functions. She explained the difference between centralized and decentralized purchasing and how the Department functions under each. Methods of procurement and dollar thresholds were explained in some detail. By way of accomplishments, she announced that total delegated authority

had been granted to the Department by the Department of General Services/Division of Purchases and Supply, an achievement not easily attained. Ms. Sager went on to explain the Supplier Diversity Program Plan (minority procurement), and how the Department maintains compliance with mandated diversity programs. The State's eVA (internet) purchasing program was discussed at length. DOC's eVA usage equates to approximately 18% of all monies expended in this program. DOC's 10,562 eVA transactions equates to 20% of all recorded eVA transactions. Statewide, DOC is number one in transactions and number three in volume recorded on eVA.

At this time a brief recess was taken. The meeting was then reconvened and the published agenda resumed until representatives from the Department of General Services could be present to continue their portion of the Purchasing and Contract Vendor Procedures presentation.

### **III. Public/Open Comment (Board Chairman)**

The Chairman noted there were neither members of the general public appearing to speak to the Board nor comments offered by the Board members at this time.

### **IV. Liaison Committee (Mr. Proffitt)**

The committee met the previous day, chaired by Mr. Roy Cherry of the Hampton Roads Regional Jail. Sheriff Clarence Williams, the former committee chairman, was in attendance and gave positive comments with respect to his experience and history with the Committee. **The Committee's schedule for 2003 was announced. It was noted that due to state budgetary constraints, the Committee will meet every Tuesday prior to scheduled Board meetings at 10:00 a.m. in the Board Room. Those dates are: March 18, May 20, July 15, September 16, and November 18, 2003.**

After Mr. Proffitt gave the details of the Department's construction projects and jail and prison population reports as presented to the Committee, he noted that a report concerning gang-related inmates in the state systems had been presented by Mr. James Sisk, manager of the Department's Inmate Intake Section. Due to the fact that the Commonwealth is seeing a significant increase in street gang activity, both local jails and the Department are being directly affected, and Mr. Sisk is currently working on a program to share gang-related information with local jails. Mr. Proffitt remarked that the Committee welcomed that information and was glad to have had his timely and informative report.

As a follow up, it was noted that four jails will be coming to the Board for approval of jail construction funding. All four are exempted from the current construction funding moratorium.

The Board Chairman moved to accept a motion to approve the Liaison Committee's report as presented. That *MOTION* was duly made by Mr. Mitchell, seconded by Mr.

Cahill, and unanimously *APPROVED* by a verbal response in the affirmative by five members (Cahill, Hester, Kallen, Maxey, Mitchell). There were no opposing votes noted. Mr. Proffitt did not vote on his report. Ms. Killilea and Dr. Trimble were absent. As a tie-breaking vote was not necessary, a vote by the Board Chairman was not noted.

**V. Administration Committee (Mr. Kallen)**

Mr. Kallen chaired the committee in Ms. Killilea's absence. He reported that the overtime report was not ready and the only thing to report from committee was a limited discussion with reference to the budget cuts.

By *MOTION* duly made by Mr. Hester, seconded by Mr. Cahill and unanimously *APPROVED* by a verbal response in the affirmative by five members (Cahill, Hester, Maxey, Mitchell, Proffitt), the report was received and filed. There were no opposing votes noted. Mr. Kallen did not vote on his report. Ms. Killilea and Dr. Trimble were absent. As a tie-breaking vote was not necessary, a vote by the Board Chairman was not noted.

**VI. Chairman's Program for Information for the Board (continued)  
Presentation by DOC Procurement and the Department of General Services/Division of Purchases and Supply**

At this time, Mr. D. B. Smit, Mr. Mark Bolton, and Mr. Ron Bell arrived to present their portion of the Purchasing and Contract Vendor Procedures Presentation.

The Virginia Public Procurement Act was explained in some detail. It was shown how procurement operations for all state agencies are ruled by the VPPA on a daily basis. The Governor's Spend Management program was described and its goals discussed. The statewide eVA program was summarized, as well as a brief explanation of the new, reverse auction strategy.

The Chairman thanked the gentlemen from the Department of General Services and the Division of Purchases and Supply for their part in the overall presentation.

**Chairman's Program for Information for the Board  
Presentation by Virginia Correctional Enterprises**

Mr. Don Guillory, chief executive officer, made the presentation to the Board. He stated his agency's goal and how its mission supports that of the Department. The Board viewed two videos, one explaining correctional enterprises in general and one devoted solely to Virginia's inmate labor program. When asked for an explanation as to why the low percentage (1%) of local governments using products and services offered by VCE, Mr. Guillory stated that the bottom line was they had not been doing a good job making contacts. This year, the sales force has been instructed to make 40 new contacts each week in order to improve on that number.

The Board Chairman had concerns regarding the 8 deficiencies cited in the last APA audit and asked for an update on the status of each. Mr. Guillory explained all eight in detail and assured the Chairman and the Board that all deficiencies had been corrected.

The Board thanked Mr. Guillory and his staff for their informative presentation.

## **VII. Correctional Services Committee Report/Policy & Regulations (Ms. Maxey)**

The following facilities were discussed at the December Board meeting. However, a motion to accept/reject/amend was not recorded at the time. For the record, the following facilities are either continued on probation or have been granted unconditional certification as a result of their 100% compliance audits as noted below. As the jail inspections were reported in December for informational purposes only, no action for the record is required. The written record now accurately reflects the recommendations of the Board.

### **Community Corrections/Local Jail Certifications**

***Danville Adult Detention Center – Continue Probationary Certification due to incomplete plans of action.***

***Bedford County Adult Detention Center - BRRJA (100% compliance) – Unconditional Certification.***

***Chesapeake Correctional Center (100% compliance) – Unconditional Certification to Include Male Juveniles.***

***Dinwiddie County Jail (100% compliance) – Unconditional Certification.***

***Moneta Adult Detention Center - BRRJA (100% compliance) – Unconditional Certification.***

***Montgomery County Jail (100% compliance) – Unconditional Certification to Include Male Juveniles.***

### **Jail Inspections**

***Albemarle Charlottesville Regional Jail - 100% compliance***

***Hampton City Jail and Annex – 100% compliance***

***Richmond City Jail – 100% compliance***

***Roanoke County Jail – 100% compliance***

***Rockbridge Regional Jail – 100% compliance***

The Board Chairman moved to accept a motion to approve the Committee's recommendations as presented above. That *MOTION* was duly made by Ms. Maxey, seconded by Mr. Hester and unanimously *APPROVED* by a verbal response in the affirmative by six members (Cahill, Hester, Kallen, Maxey, Mitchell, Proffitt). No opposing votes were noted. Ms. Killilea and Dr. Trimble were absent. As a tie-breaking vote was not necessary, a vote by the Board Chairman was not noted.

**Community Corrections/Local Jail Certifications**

- a) **Accomack County Jail** – Unconditional Certification.
- b) **Lancaster County Jail** – Unconditional Certification.
- c) **Mecklenburg County Jail** – Unconditional Certification.
- d) **Patrick County Jail** – Unconditional Certification.
- e) **Southside Regional Jail** – Unconditional Certification.
- f) **Sussex County Jail** – Unconditional Certification to Include Male Juveniles.
- g) **Probation & Parole District #1 (Richmond)** – Unconditional Certification. The recommendation for this facility was deferred from October, 2002, in order to give the Department time to address and correct Standard 3-3059. The Committee reports that as of February 1, 2003, physical exams will be conducted at the Academy for Staff Development before job assignment in order to maintain compliance with this Standard.
- h) **Probation & Parole District #7 (Petersburg)** – Unconditional Certification. The recommendation for this facility was deferred from October, 2002, in order to give the Department time to address and correct Standard 3-3059. The Committee reports that as of February 1, 2003, physical exams will be conducted at the Academy for Staff Development before job assignment in order to maintain compliance with this Standard.
- i) **Probation & Parole District #10 (Arlington)** – Unconditional Certification. The recommendation for this facility was deferred from October, 2002, in order to give the Department time to address and correct Standard 3-3059. The Committee reports that as of February 1, 2003, physical exams will be conducted at the Academy for Staff Development before job assignment in order to maintain compliance with this Standard.
- j) **Probation & Parole District #13 (Lynchburg)** – Unconditional Certification.
- k) **Probation & Parole District #15 (Roanoke)** – Unconditional Certification. The recommendation for this facility was deferred from October, 2002, in order to give the Department time to address and correct Standard 3-3059. The Committee reports that as of February 1, 2003, physical exams will be conducted at the Academy for Staff Development before job assignment in order to maintain compliance with this Standard.
- l) **Probation & Parole District #18 (Norton)** – Unconditional Certification. The recommendation for this facility was deferred from October, 2002, in order to give the Department time to address and correct Standard 3-3059. The Committee reports that as of February 1, 2003, physical exams will be conducted at the Academy for Staff Development before job assignment in order to maintain compliance with this Standard.
- m) **Probation & Parole District #22 (Martinsville)** – Unconditional Certification. The recommendation for this facility was deferred from October, 2002, in order to give the Department time to address and correct Standard 3-3059. The Committee reports that as of February 1, 2003, physical exams will be conducted at the Academy for Staff Development before job assignment in order to maintain compliance with this Standard.

- n) **Probation & Parole District #23 (Virginia Beach)** – Unconditional Certification.
- o) **Probation & Parole District #26 (Culpeper)** – Unconditional Certification. The recommendation for this facility was deferred from October, 2002, in order to give the Department time to address and correct Standard 3-3059. The Committee reports that as of February 1, 2003, physical exams will be conducted at the Academy for Staff Development before job assignment in order to maintain compliance with this Standard.
- p) **Probation & Parole District #33 (Warsaw)** – Unconditional Certification.
- q) **Probation & Parole District #34 (Williamsburg)** – Unconditional Certification. The recommendation for this facility was deferred from October, 2002, in order to give the Department time to address and correct Standard 3-3059. The Committee reports that as of February 1, 2003, physical exams will be conducted at the Academy for Staff Development before job assignment in order to maintain compliance with this Standard.
- r) **Probation & Parole District #38 (Emporia)** – Unconditional Certification.
- s) **Probation & Parole District #39 (Harrisonburg)** – Unconditional Certification.
- t) **Probation & Parole District #42 (Franklin)** – Unconditional Certification. The recommendation for this facility was deferred from October, 2002, in order to give the Department time to address and correct Standard 3-3059. The Committee reports that as of February 1, 2003, physical exams will be conducted at the Academy for Staff Development before job assignment in order to maintain compliance with this Standard.
- u) **Appalachian Men's Detention Center** – Unconditional Certification.

The Board Chairman moved to accept a motion to approve the Committee's recommendations as presented above. That *MOTION* was duly made by Ms. Maxey, seconded by Mr. Hester and unanimously *APPROVED* by a verbal response in the affirmative by six members (Cahill, Hester, Kallen, Maxey, Mitchell, Proffitt). No opposing votes were noted. Ms. Killilea and Dr. Trimble were absent. As a tie-breaking vote was not necessary, a vote by the Board Chairman was not noted.

### **Jail Inspections**

At this time, Ms. Maxey announced the facilities who had achieved 100% compliance with their unannounced inspections. This report is for informational purposes only. No action by the Board is required.

**Lancaster County Jail** – 100% compliance

**New River Valley Regional Jail** – 100% compliance

**Rockingham Harrisonburg Regional Jail** – 100% compliance

**Vinton Town Lockup** – 100% compliance

The following facilities are being monitored by the Local Facilities Unit as a result of their most recent unannounced inspections. This information is an update only. No action by the Board is required at this time.



**Danville Adult Detention Center** – Continue Probationary Certification.

**Virginia Beach Correctional Center** – Maintain Unconditional Certification status and continue monthly monitoring until completion and verification of submitted plans of action.

**Northampton County Jail** – Continue Probationary Certification. Monitor monthly until plans of action submitted as a result of their unannounced inspection are completed and verified.

#### **Policy & Regulations (Ms. Maxey)**

Ms. Maxey reported that the Committee had taken no action with reference to the By-Laws. She has received only the Board Chairman's suggested amendments to the Board's By-Laws, which have been incorporated, and the only new information since then is to change the name of the Executive Committee to the Finance and Budget Committee. It was agreed that a document will be presented at the next Committee meeting which will then be submitted to Mr. Katz for review. Once his review has been completed, a final draft of the By-Laws will be submitted for review and approval by the Board.

Following up with the Executive Committee, Mr. Cahill asked if it was the Chairman's intent to take budget and finance out of the Administration Committee and the information to then be reviewed only by the Executive Committee. The Chairman stated that was not his intent and suggested that budget and finance stay merged or joined with the Administration Committee as is current.

Ms. Maxey also noted that Ms. Dow had presented information to the Committee with reference to the Board's 10-20-30 Series Policies. These policies have not been reviewed and updated since 1998. The proposed revisions will be brought to the Committee and Board in March for their review and approval. It was noted that these changes were things such as names and dates. No substantive changes have occurred since they were last published.

#### **VIII. Other Business**

Earlier in the Board meeting, the Chairman had asked the Inspector General to provide the Board with a run down of any legal matters pending which might impact the Department. As her notice to this request was short and her gathered information was very general in nature at this point, it was decided to put off any discussion until the next Board meeting so it can be more fully researched and reported at that time. Mr. Cahill also noted that this was something that probably should occur in Closed Session. It was decided that there will be a Closed Session at the next Board meeting. There was no other business offered for discussion.

**IX. Future Meeting Plans**

The Chairman made a suggestion that the Board to meet at other locations around the state, perhaps in the Hampton Roads and Roanoke Valley areas. Mr. Hester extended an invitation from the Hampton Roads Regional Jail to use their facilities for one of the Board's upcoming meetings. It was decided that in the spring and fall of 2003, the Board will meet at Hampton Roads Regional Jail and then somewhere in the Roanoke Valley, respectively.

**Liaison Committee** – 10:00 a.m., Board Room, 6900 Atmore Drive, Richmond, Virginia, March 18, 2003.

**Correctional Services/Policy & Regulations Committee** – 1:00 p.m., Board Room, 6900 Atmore Drive, Richmond, Virginia, March 18, 2003.

**Administration Committee** – 8:30 a.m., Room 3065, 6900 Atmore Drive, Richmond, Virginia, March 19, 2003.

**Board Meeting** – 10:00 a.m., Board Room, 6900 Atmore Drive, Richmond, Virginia, March 19, 2003.

**X. Adjournment**

Before closing the meeting, the Chairman asked Ms. Scott to extend the Board's thanks to VCE for the padfolio, pen, cd, and mounted, personalized Jamestown license plate that were provided to each Board member.

There being nothing further, the meeting was adjourned.

*(Signature copy on file)*

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J. GRANGER MACFARLANE, CHAIRMAN

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SECRETARY